

**UNITED STATES DISTRICT COURT**  
**Western District of Virginia**  
**OFFICE OF THE CLERK**  
**Julia C. Dudley, Clerk**  
**Post Office Box 1234**  
**Roanoke, Virginia 24006**  
**January 16, 2013**

**Nolan Ray Nicely, Jr.**  
**Russell Wayne Updike**  
**Covington, Va 24426**

**Rebecca Sayrd Herbig**  
**Richmond, Va 23219**

**John Thomas Jessee**  
**Michael Preston Gardner**  
**Nancy Fuller Reynolds**  
**Roanoke, Va**

**Re: Kimberly Brown v New England Compounding Pharmacy, Inc. et al.**  
**Civil Action No. 7:12-cv-00584**

Dear Counsel:

This case has been assigned to Judge Sam Wilson and will be given a trial date in approximately eight months, unless an earlier date is requested by the parties.

Please confer among yourselves and arrange a conference call with Judge Wilson's secretary, Betty Lewis at (540) 857-5120, within a week from the date of this letter in order to set a specific trial date. If a response is not received, we will assume that any date chosen in approximately eight months will be acceptable.

Any hearings on non-dispositive motions, which include motions concerning discovery, will be scheduled and heard by the Magistrate.

Hearings on dispositive motions, such as motions to dismiss or for summary judgment, will be scheduled by Mrs. Lewis. Please call her at (540) 857-5120.

The court wants all discovery completed and all pre-trial motions filed within seventy-five days of the trial date. Hearings regarding dispositive pretrial motions must be held no later than forty-five (45) days prior to trial. All interrogatories and requests for documents should therefore be served in sufficient time to give the opposing party time to respond before the forty-five day deadline.

Very truly yours,

s/ O. Thompson

Deputy Clerk

cc Betty Lewis